

REMARKS

This Amendment is in response to the Final Office Action mailed 08/09/2006. Applicant has filed a Request for Continued Examination to have the Office withdraw the finality of the Office Action and have this submission entered and considered. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Rejection Under 35 U.S.C. § 112

2. The Examiner rejects claims 2 and 11 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. The Examiner considers the claimed element of "peer devices are under the network server to which they are coupled" to be unclear.

Applicant has deleted the portions of the claims that the Examiner considers to be unclear and respectfully requests that the Examiner withdraw the rejection of claims 2 and 11 under 35 U.S.C. § 112, second paragraph.

Claim Rejections - 35 USC § 102

5. The Examiner rejects claims 1-9, 11-14, 16-18 and 20-21 under 35 U.S.C. 102(a) as being anticipated by Stoica et al. ("Chord: A Scalable Peer-to-peer Lookup Service for Internet Applications").

6. In regard to claim 1, the Examiner asserts that Stoica discloses "the first network server to manage and maintain a first name-to-address resolution index that includes a list of addresses for the first plurality of peer devices" and the second network server "to manage and maintain a second name-to-address resolution index that includes a list of addresses for the second plurality of peer devices" citing Stoica, 150, lines 1-7. Applicant respectfully disagrees.

Stoica discloses a peer-to-peer system without any centralized control or hierarchical organization. Stoica, 149, second paragraph. Applicant has amended the claim to make clear that the claimed invention is for a hierarchical network system where the servers do provide centralized control of the address resolution. Applicant respectfully submits that the claim as amended is clearly distinguished from the system disclosed by Stoica.

The Examiner consider the disclosure of a finger table in Stoica to disclose the name-to-address resolution indices as claimed. Applicant respectfully points out that the claimed element is "a first name-to-address resolution index that includes a list of addresses for each of the first plurality of peer devices." The finger table disclosed by Stoica stores "only a small number of other nodes." Stoica, page 152, ninth paragraph. Stoica does not disclose storing address for all devices connected to a server as claimed.

7. In regard to claim 2, Stoica discloses a system without hierarchical organization. Stoica, 149, second paragraph. Therefore Stoica cannot disclose servers that are distinct from peers nor

servers that are at equivalent hierarchical levels as now claimed. Applicant respectfully points out that this claim has been amended to restore the claim to be as it was when filed.

8. In regard to claim 3, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

9. In regard to claim 4, the Examiner asserts that Stoica discloses the second network server requires access authorization from the first network server before a common zone is established citing Stoica, 150, Availability. The cited portion of Stoica discloses adjusting of internal tables to accommodate changes in the attached nodes. The Examiner argues that if a node is "available," then access is authorized. Applicant respectfully disagrees with the Examiners interpretation of this portion of Stoica. As used in the present application, authorization is an access restriction based on the identity of the device attempting the access. Specification, page 8, lines 9-20. Availability as used by Stoica is a physical availability of a node. Availability as disclosed by Stoica is entirely unlike authorization as claimed in the present invention.

10. In regard to claim 5, the Examiner asserts that Stoica discloses that the third network server is configured to respond to a request for a peer device address of one of the first plurality of peer devices by querying the second network server citing Stoica, 151, Distributed Indexes. The Examiner asserts that this was the operation of the Gnutella or Napster system. Nothing in Stoica discloses that the name server responds to a request for an address of a peer device that is coupled to another network server by querying the other network server to obtain and return the address of the peer devices. Stoica merely discloses that a key could be derived from the desired keywords, while values could be lists of machines offering documents with those keywords. Stoica discloses a mechanism for searching for keywords by forming a key from the keywords to find a list of machines offering documents with those keywords which is entirely unlike a system in which a third server obtains an address of a peer device coupled to a first server by querying a second server that in turn queries the first server.

11. In regard to claim 6, the Examiner asserts that Stoica discloses the additional elements of claim 6 in the same way that the additional elements of claim 5 are disclosed. Applicant respectfully submits that Stoica fails to disclose the additional elements of claim 6 in the same way that Stoica fails to disclose the additional elements of claim 5.

12. In regard to claim 7, the Examiner asserts that Stoica discloses the additional elements of claim 7 in the same way that the elements of claim 5 are disclosed. Applicant respectfully submits that Stoica fails to disclose the additional elements of claim 7 in the same way that Stoica fails to disclose the elements of claim 5.

13. The Examiner rejects claim 8 on the same basis as claim 1 and applicant likewise traverses the rejection on the same basis.

14. In regard to claim 9, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.

15. The Examiner rejects claim 11 on the same basis as claim 2 and applicant likewise traverses the rejection on the same basis.
16. In regard to claim 12, applicant relies on the patentability of the claims from which this claim depends to traverse the rejection without prejudice to any further basis for patentability of this claim based on the additional elements recited.
17. The Examiner rejects claim 13 on the same basis as claim 4 and applicant likewise traverses the rejection on the same basis.
18. The Examiner rejects claim 14 on the same basis as claims 1 and 3 and applicant likewise traverses the rejection on the same basis.
19. The Examiner rejects claim 16 on the same basis as claim 4 and applicant likewise traverses the rejection on the same basis.
20. In regard to claim 17, the Examiner asserts that Stoica further discloses wherein there is no common zone relationship between the first server and the second server, and derivative common zone name-to-address resolution is selectively permitted by a server having common zone relationships with the first server and the second server citing Stoica, 151, Distributed Indexes. The Examiner asserts that this was the operation of the Gnutella or Napster system. Nothing in Stoica discloses selectively permitting a common zone relationship, which is an address sharing relationship as disclosed in the Specification as filed on page 7, lines 20-31.
21. The Examiner rejects claim 18 on the same basis as claim 1 and applicant likewise traverses the rejection on the same basis.
22. The Examiner rejects claim 20 on the same basis as claims 3 and 4. Applicant respectfully traverses the rejection of claim 20 on the same basis as claims 3 and 4.
23. The Examiner rejects claim 21 on the same basis as claim 17 and applicant likewise traverses the rejection on the same basis.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-9, 11-14, 16-18 and 20-21 are rejected under 35 U.S.C. 102(a) as being anticipated by Stoica.

Claim Rejections - 35 USC § 103

24. The Examiner rejects claims 10, 15 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Stoica, and further in view of Official Notice.
25. In regard to claims 10, 15 and 19, applicant relies on the patentability of the claims from which these claims depend to traverse the rejection without prejudice to any further basis for patentability of these claims based on the additional elements recited.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 10, 15 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Stoica and Official Notice.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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